

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

WALTER PRICE,

Plaintiff,

-against-

9:11-CV-00977 (LEK/TWD)

MALCOLM CULLY; JEROME  
L. NICOLATO; and NEW YORK STATE  
BOARD OF PAROLE  
COMMISSIONERS,

Defendants.

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**DECISION and ORDER**

This matter comes before the Court following a Report-Recommendation filed on August 30, 2012 by the Honorable Thérèse W. Dancks, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and Northern District of New York Local Rule 72.3(d). Dkt. No. 23 (“Report-Recommendation”).

Within fourteen days after a party has been served with a copy of a magistrate judge’s report-recommendation, the party “may serve and file specific, written objections to the proposed findings and recommendations.” FED. R. CIV. P. 72(b); N.D.N.Y. L.R. 72.1(c). “If no objections are filed . . . reviewing courts should review a report and recommendation for clear error.” Edwards v. Fischer, 414 F. Supp. 2d 342, 346-47 (S.D.N.Y. 2006) (citations omitted).

Here, no objections have been raised in the allotted time with respect to Magistrate Judge Dancks’s Report-Recommendation. See generally Dkt. After a thorough review of the Report-Recommendation and the record, the Court has determined that the Report-Recommendation is not subject to attack for clear error or manifest injustice.

Accordingly, it is hereby:

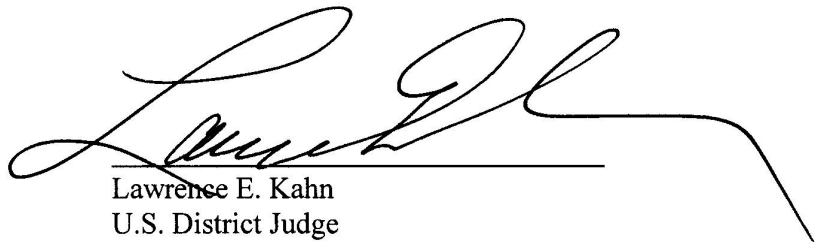
**ORDERED**, that the Report-Recommendation (Dkt. No. 23) is **APPROVED** and **ADOPTED** in its **ENTIRETY**; and it is further

**ORDERED**, that Defendants' Motion (Dkt. No. 17) for summary judgment is **GRANTED**; and it is further

**ORDERED**, that the Clerk of the Court serve a copy of this Decision and Order upon the parties to this action.

**IT IS SO ORDERED.**

DATED: September 18, 2012  
Albany, New York



Lawrence E. Kahn  
U.S. District Judge